

REMARKS/ARGUMENTS

In view of the following remarks, the applicants respectfully submit that the pending claims are not anticipated under 35 U.S.C. § 102. Accordingly, it is believed that this application is in condition for allowance. If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully requests that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicants will now address each of the issues raised in the outstanding Office Action.

Objections

Claims 6, 11 and 14 depend from claim 1, either directly or indirectly. Claims 6, 11 and 14 were found to include allowable subject matter by the Examiner. However, these claims are apparently objected to as being dependent upon a rejected base claim. Since, however, claim 1 is allowable over the cited art for the reasons discussed below, these claims have not been rewritten in independent form.

Rejections under 35 U.S.C. § 102

Claims 1, 5, 8, 10 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No.

7,012,647 ("the Shintani patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

The Shintani patent does not anticipate claim 1 since the Shintani patent does not teach (1) a ***light amount adjustment mechanism***, (2) a first ***case accommodating*** an optical member and a light amount adjustment mechanism, and (3) a coupling means ***provided between*** the first case and the second case to couple the light amount adjustment unit and the lens unit. Each of these differences is discussed below.

First, the Shintani patent does not teach a light amount adjustment mechanism. The Examiner contends that the barrier drive motor 31 of the Shintani patent teaches the claimed "light amount adjustment mechanism". (See Paper No. 051407, page 2.) The applicants respectfully disagree.

The claimed light amount adjustment unit serves to adjust the light amount of a light beam received such that the light beam is bent at a substantially right angle by an optical member. By contrast, the barrier drive motor 31 in the Shintani patent is designed to drive the barrier 32 that protects the lens. The barrier drive motor 31 and the barrier 32 do not serve to adjust the *light amount of a light beam received such that the light beam is bent at a substantially right angle by an optical member*. Further, due to the position where the barrier 32 is mounted, it can not adjust the amount of light of a light beam from an object, which is bent by the optical member. Thus, the barrier drive motor 31 and the barrier 32 of the Shintani patent do not teach the

light amount adjustment unit including a "light amount adjustment mechanism" having the characteristics recited in claim 1. Thus independent claim 1 is not anticipated by the Shintani patent for at least this first reason.

Next, the Shintani patent does not teach a first case accommodating an optical member and a light amount adjustment mechanism. The Examiner contends that the optical unit 3 housing in the Shintani patent, which surrounds the space 20 and the prism 18, teaches a first case which accommodates an optical member and a light amount adjustment mechanism. (See Paper No. 051407, page 3.) The applicants respectfully disagree.

A case is generally defined as a "container for enclosing something" or a "surrounding frame or framework." *Webster's New Universal Unabridged Dictionary* (Deluxe Edition, Barnes & Noble Books 1996). The case disclosed in the present application is consistent with this common meaning. The claimed first case contains the optical member and the light amount adjustment mechanism. (See, e.g., Figures 4A and 4B of the present application.) By contrast, the optical unit 3 housing in the Shintani patent does not contain or surround the barrier motor 31 which the Examiner contends teaches the light amount adjustment mechanism. As shown in Figures 5 and 6 of the Shintani patent, the barrier motor 31 is located **external to** the purported first case which the Examiner describes as the optical unit 3 housing which surrounds the space 20 and the prism 18. The purported first case in the Shintani patent does not contain, enclose, or surround the purported light amount adjustment mechanism, and thus, cannot be a case accommodating the light amount adjustment mechanism.

That is, the optical unit 3 housing of the Shintani patent does not teach a first case which accommodates an optical member and a light amount adjustment mechanism. Accordingly, claim 1 is not anticipated by the Shintani patent for at least this second reason.

Finally, the Shintani patent does not teach a coupling means ***provided between*** the first case and the second case to couple a light amount adjustment unit and a lens unit. The Examiner contends that the refractive optical system 3 of the Shintani patent includes a light amount adjustment unit and a lens unit which teaches the coupling of the light amount adjustment unit and lens unit in the claimed invention. (See Paper No. 051407, pages 2 and 3.) The Examiner further contends that the "lipped portions", shown in Figure 5 of the Shintani patent, teach the coupling means provided between a first case and a second case to couple the light amount adjustment unit and lens unit. (See Paper No. 051407, pages 2 and 3.) The applicants respectfully disagree.

The claimed invention recites an optical unit having a structure in which a separate light amount adjustment unit and a separate lens unit are coupled together. This feature in the claimed invention advantageously improves the assembly process and post-assembly adjustments. By contrast, the Shintani patent does not teach that the refractive optical system 3 can be formed by an integration of separate units as recited. Thus, the Shintani patent does not teach an optical unit having a structure in which a separate light amount adjustment unit and a lens unit ***are coupled together***.

Furthermore, the claimed optical unit includes a **coupling means provided between** a first case and a second

case to couple the light amount adjustment unit and the lens unit. By contrast, the lipped portions in the Shintani patent do not directly relate to a "coupling means" used to couple two separate units together. As stated by the Examiner, the lipped portions provide a seat "upon which the prism 18 . . . reside[s]." (See Paper No. 051407, page 3.) The lipped portions referred to by the Examiner are part of the purported first case as described by the Examiner. They are neither a coupling means, nor are they provided between a first case and a second case to couple a light amount adjustment unit and a lens unit. In addition, as described above, the Shintani patent does not teach that the refractive optical system 3 has a structure in which separate units are coupled to each other. Therefore, the contention that the lipped portions in the Shintani patent are similar to the coupling means in the present invention is strained at best. Accordingly, independent claim 1 is not anticipated by the Shintani patent for at least this third reason.

Thus, claim 1 is not anticipated by the Shintani patent for at least the foregoing reasons. Since claims 5, 8, 10 and 13 depend, either directly or indirectly, from claim 1, these claims are similarly not anticipated by the Shintani patent.

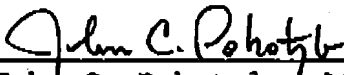
Conclusion

In view of the foregoing remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.

Any arguments made in this request for reconsideration pertain **only** to the specific aspects of the invention **claimed**. Any arguments are made **without prejudice to, or disclaimer of**, the applicants' right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Respectfully submitted,

August 16, 2007



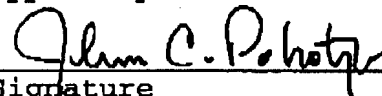
John C. Pokotylo, Attorney
Reg. No. 36,242
Tel.: (732) 542-9070

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (and any accompanying paper(s)) is being facsimile transmitted to the United States Patent Office on the date shown below.

John C. Pokotylo

Type or print name of person signing certification



Signature

August 16, 2007

Date